GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

SOCIAL WELFARE DEPARTMENT - Welfare of Scheduled Castes and Scheduled Tribes - Atrocities against Scheduled Castes and Scheduled Tribes - Scheme for Relief and Rehabilitation of the SCs/STs (Prevention of Atrocities) Act, 1989 and rules framed there under - Enhancement of compensation - Revised Orders - Issued.

SOCIAL WELFARE (CV.POA) DEPARTMENT

G.O.Ms.No.95 **Dated:29.08.2016.**

Read the following:

1. G.O.Ms.No:3, Social Welfare (H1) Department, Dt:16.01.1996.
2. From the Joint Secretary, Govt. of India, Min (SJ & Emp), D.O.Letter No.11012/2/2008-PCR (Desk), dt.20.01.2012.
3. G.O.Ms.No.22, Social Welfare (POA) Department, Dt.16.06.2012
4. From the Director, (SCD), Lr.No.11012/3/2013-PCR (Desk), dt.10.07.2014.
5. G.O.Ms.No.76, S.W.(CV.POA) Dept., dt.28.11.2014.
6. From the Director National Commission for Scheduled Castes, Hyderabad, No.2/1/15/TS-RU, dt:25.04.2016.

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ORDER:

In the G.O first read above, the Government has issued orders to follow the guidelines issued by the Government of India for enhancement of relief and rehabilitation measures to the Scheduled Castes/ Scheduled Tribes victims of atrocities and their dependents. Accordingly, they are being paid compensation of cash relief and other rehabilitation measures for various offences committed by the members belonging to the Castes other than Scheduled Castes/ Scheduled Tribes under the relevant sections of the Scheduled Castes/ Scheduled Tribes (Prevention of Atrocities) Act, 1989 as indicated in the Annexure-1 of the said order.

2. In the G.O 3rd and 5th read above, the Government has time and again enhanced the compensation to the SC/ST victims of atrocities and their dependents by following the guidelines issued by the Government of India vide reference second read above and 4th read above.

3. The Director National Commission for Scheduled Castes, Hyderabad, in his letter 6th read above, has communicated the Scheduled Castes and Scheduled Tribes (Prevention of atrocities) (Amendment) Rules, 2016 notified in the Gazette of India, Extraordinary, Part-II, section 3, sub-section (1), on 14.04.2016, by which the relief amounts to SC/ST atrocity victims and their dependents has been further increase to an amount of Rs.75,000/- to Rs.85,000/- (Rupees Eighty Five thousand) and Rs.7,50,000/- to 8,25,000/- (Eight Lakhs and Twenty Five Thousands) and requested the State Governments/ UTs to implement the said Rules. Further, they have also requested to give adequate publicity of the amendment rules in print and electronic media as per the said notification.

4. In the light of the Scheduled Castes and Scheduled Tribes (Prevention of atrocities) (Amendment) Rules, 2016 issued by the Government of India, the Government have decided to implement the said amended rules in the State. Accordingly the relief amount to the atrocity victims is hereby amended (i.e. between Rs.85,000/- to Rs.8,25,000/- depending upon the nature of offences) as shown in the Annexure to this order . The above orders are given effect from 14.04.2016 i.e. date of issue of the G.O.I.'s notification.

(P.T.O)

5. The Director of Social Welfare, A.P, Vijayawada / Commissioner of Tribal Welfare, A.P, Vijayawada / Collectors & District Magistrates/ Superintendents of Police shall take necessary action accordingly. They are requested to follow the Scheduled Castes/ Scheduled Tribes (Prevention of Atrocities) Act, 1989 and the Rules framed thereunder scrupulously.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

S.S. RAWAT
SECRETARY TO GOVERNMENT

To:
All the District Collectors.
The Director of Social Welfare, A.P, Hyderabad.
The Commissioner of Tribal Welfare, A.P, Hyderabad.
The IGP (PCR Cell) A.P, Hyderabad.
The Commissioner, I&PR Department.
(with a request to give wide publicity in the Print and Electronic media)

Copy to:

The Director General of Police, A.P, Hyderabad.
All Superintendents of Police.
The Accountant General, A.P, Hyderabad.
The Director of Backward Classes Welfare, A.P, Hyderabad.
The Commissioner of Panchayat Raj, A.P., Hyderabad.
The Secretary to Government of India, Ministry of
(Social Justice & Empowerment), GOI, New Delhi.
The P.S to Chief Minister.
The P.S to Minister (SWE & TWE)
The P.S to Minister (Backward Classes Welfare).
The P.S to Secretary, Social Welfare Dept.
The P.S to Principal Secretary, Tribal Welfare Dept.
S.F/S.C.

// FORWARDED:: BY ORDER //

SECTION OFFICER

Annexure to G.O.Ms.No.95, Social Welfare (CV.POA) Dept., dt:29-08-2016.

ANNEXURE-I [See rule 12(4)]

NORMS FOR RELIEF AMOUNT

Sl. No.	Name of the offence	Minimum amount of relief
1	2	3
1.	Putting any inedible or obnoxious substance [Section 3(1)(a) of the Act]	One lakh rupees to the victim. Payment to then victim be made as follows: (i) 10 per cent. at First Information Report (FIR) stage for serial numbers (2) and (3) and 25 percent at FIR stage for serial numbers (1), (4) and (5); (ii) 50 per cent. when the charge sheet is sent to the court; (iii) 40 per cent. when the accused are convicted by the lower court for serial numbers (2) and (3) and likewise 25 percent for serial numbers (1), (4) and (5).
2.	Dumping excreta, sewage, carcasses or any other obnoxious substance [Section 3(1)(b) of the Act]	
3.	Dumping excreta, waste matter, carcasses with intent to cause injury, insult or annoyance [Section 3(1)(c) of the Act]	
4.	Garlanding with footwear or parading naked or semi-naked[Section 3(1)(d) of the Act]	
5.	Forcibly committing acts such as removing clothes, forcible tonsuring of head, removing moustaches, painting face or body [Section 3(1)(e) of the Act]	
6.	Wrongful occupation or cultivation of land [Section 3(1)(f) of the Act]	One lakh rupees to the victim. The land or premises or water supply or irrigation facility shall be restored where necessary at Government cost by the concerned State Government or Union territory Administration. Payment to the victim be made as follows: (i) 25 per cent. at First Information Report (FIR) stage; (ii) 50 per cent. when the charge sheet is sent to the court; (iii) 25 per cent. when the accused are convicted by the lower court.
7.	Wrongful dispossession of land or premises or interfering with the rights, including forest rights. [Section 3(1)(g) of the Act]	
8.	Begar or other forms of forced or bonded labour [Section 3(1)(h) of the Act]	One lakh rupees to the victim. Payment to be made as follows: (i) Payment of 25 per cent. First Information Report (FIR) stage; (ii) 50 per cent. when the charge sheet is sent to the court; (iii) 25 per cent. when the accused are convicted by the lower court.
9.	Compelling to dispose or carry human or animal carcasses, or to dig graves [Section 3(1)(i) of the Act]	
10.	Making a member of the Scheduled Castes or the Scheduled Tribes to do manual scavenging or employing him for such purpose [Section 3(1)(j) of the Act]	
11.	Performing, or promoting dedication of a Scheduled Caste or a Scheduled Tribe woman as a devadasi [Section 3(1)(k) of the Act]	
12.	Prevention from voting, filing nomination [Section 3(1)(l) of the Act]	Eighty-five thousand rupees to the victim.

13.	Forcing, intimidating or obstructing a holder of office of Panchayat or Municipality from performing duties [Section 3(1)(m) of the Act]	Payment to be made as follows: (i) 25 per cent. at First Information Report (FIR) stage; (ii) 50 per cent. when the charge sheet is sent to the court; (iii) 25 per cent. when the accused are convicted by the lower court.
14.	After poll violence and imposition of social and economic boycott [Section 3(1)(n) of the Act]	
15.	Committing any offence under this Act for having voted or not having voted for a particular candidate [Section 3(1)(o) of the Act]	
16.	Instituting false, malicious or vexatious legal proceedings [Section 3(1)(p) of the Act]	Eighty-five thousand rupees to the victim or reimbursement of actual legal expenses and damages, whichever is less. Payment to be made as follows: (i) 25 per cent. at First Information Report (FIR) stage; (ii) 50 per cent. when the charge sheet is sent to the court; (iii) 25 per cent. when the accused are convicted by the lower court.
17.	Giving false and frivolous information to a public servant [Section 3(1)(q) of the Act]	One lakh rupees to the victim or reimbursement of actual legal expenses and damages, whichever is less. Payment to be made as follows: (i) 25 per cent. at First Information Report (FIR) stage; (ii) 50 per cent. when the charge sheet is sent to the court; (iii) 25 per cent. when the accused are convicted by the lower court.
18.	Intentional insult or intimidation to humiliate in any place within public view [Section 3(1)(r) of the Act]	One lakh rupees to the victim. Payment to be made as follows: (i) 25 per cent. at First Information Report (FIR) stage; (ii) 50 per cent. when the charge sheet is sent to the court; (iii) 25 per cent. when the accused are convicted by the lower court.
19.	Abusing by caste name in any place within public view [Section 3(1)(s) of the Act]	
20.	Destroying, damaging or defiling any object held sacred or in high esteem [Section 3(1)(t) of the Act]	
21.	Promoting feelings of enmity, hatred or ill-will [Section 3(1)(u) of the Act]	
22.	Disrespecting by words or any other means of any late person held in high esteem [Section 3(1)(v) of the Act]	
23.	Intentionally touching a Scheduled Caste or a Scheduled Tribe woman without consent, using acts or gestures, as an act of sexual nature, [Section 3(1)(w) of the Act]	Two lakh rupees to the victim. Payment to be made as follows: (i) 25 percent. at First Information Report (FIR) stage; (ii) 50 per cent. when the charge sheet is sent to the court; (iii) 25 percent. when the accused are convicted by the lower court.

24.	Section 326B of the Indian Penal Code (45 of 1860)-- Voluntarily throwing or attempting to throw acid. [Section 3(2)(va) read with Schedule to the Act]	(a) Eight lakh and twenty-five thousand rupees to the victim with burns exceeding and 2 per cent and above burns on face or in case of functional impairment of eye, ear, nose and mouth and or burn injury on body exceeding 30 per cent; (b) four lakh and fifteen thousand rupees to the victim with burns between 10 per cent. to 30 per cent. on the body; (c) eighty-five thousand rupees to the victim with burns less than 10 per cent. on the body other than on face. In addition, the State Government or Union territory Administration shall take full responsibility for the treatment of the victim of acid attack. The payment in terms of items (a) to (c) are to be made as follows: (i) 50 per cent. at First Information Report (FIR) stage; (ii) 50 per cent. after receipt of medical report.
25.	Section 354 of the Indian Penal Code (45 of 1860) -- Assault or criminal force to woman with intent to outrage her modesty. [Section 3(2) (va) read with Schedule to the Act]	Two lakh rupees to the victim. Payment to be made as follows: (i) 50 per cent. at First Information Report (FIR) stage; (ii) 25 per cent. when the charge sheet is sent to the court; (iii) 25 per cent. on conclusion of trial by the lower court.
26.	Section 354A of the Indian Penal Code (45 of 1860)-- Sexual harassment and punishment for sexual harassment. [Section 32) (va) read with Schedule to the Act]	Two lakh rupees to the victim. Payment to be made as follows: (i) 50 per cent. at First Information Report (FIR) stage; (ii) 25 per cent. when the charge sheet is sent to the court; (iii) 25 per cent. on conclusion of trial by the lower court.
27.	Section 354 B of the Indian Penal Code (45 of 1860)-- Assault or use of criminal force to woman with intent to disrobe [Section 3(2)(va) read with Schedule to the Act]	Two lakh rupees to the victim. Payment to be made as follows: (i) 50 per cent. at First Information Report (FIR) stage; (ii) 25 per cent. when the charge sheet is sent to the court; (iii) 25 per cent. on conclusion of trial by the lower court.
28.	Section 354 C of the Indian Penal Code (45 of 1860)-- Voyeurism. [Section 3(2)(va) read with Schedule to the Act]	Two lakh rupees to the victim. Payment to be made as follows: (i) 10 per cent. at First Information Report (FIR) stage (ii) 50 per cent. when the charge sheet is sent to the court. (iii) 40 per cent. when the accused are convicted by the lower court.
29.	Section 354 D of the Indian Penal Code (45 of 1860) -- Stalking. [Section 3(2)(va) read with Schedule to the Act]	Two lakh rupees to the victim. Payment to be made as follows: (i) 10 percent. at First Information Report (FIR) stage; (ii) 50 percent. when the charge sheet is sent to the court; (iii) 40 percent. when the accused are convicted by the lower court.

30.	Section 376B of the Indian Penal Code (45 of 1860)-- Sexual intercourse by husband upon his wife during separation. [Section 3(2)(va) read with Schedule to the Act]	Two lakh rupees to the victim. Payment to be made as follows: (i) 50 percent. after medical examination and confirmatory medical report; (ii) 25 percent. when the charge sheet is sent to the court; (iii) 25 percent. when the accused are convicted by the lower court.
31.	Section 376C of the Indian Penal Code (45 of 1860) -- Sexual intercourse by a person in authority. [Section 3(2)(va) read with Schedule to the Act]	Four lakh rupees to the victim. Payment to be made as follows: (i) 50 per cent. after medical examination and confirmatory medical report; (ii) 25 percent. when the charge sheet is sent to the court; (iii) 25 per cent. on conclusion of trial by the lower court.
32.	Section 509 of the Indian Penal Code (45 of 1860)-- Word, gesture or act intended to insult the modesty of a woman. [Section 3(2)(va) read with Schedule to the Act]	Two lakh rupees to the victim. Payment to be made as follows: (i) 25 per cent. at First Information Report (FIR) stage; (ii) 50 per cent. when the charge sheet is sent to the court; (iii) 25 per cent. when the accused are convicted by the lower court.
33.	Fouling or corrupting of water [Section 3(1)(x) of the Act]	Full cost of restoration of normal facility, including cleaning when the water is fouled, to be borne by the concerned State Government or Union territory Administration. In addition, an amount of eight lakh twenty-five thousand rupees shall be deposited with the District Magistrate for creating community assets of the nature to be decided by the District Authority in consultation with the Local Body.
34.	Denial of customary right of passage to a place of public resort or obstruction from using or accessing public resort [Section 3(1)(y) of the Act]	Four lakh twenty-five thousand rupees to the victim and cost of restoration of right of passage by the concerned State Government or Union territory Administration. Payment to be made as follows: (i) 25 per cent. at First Information Report (FIR) stage; (ii) 50 per cent. when the charge sheet is sent to the court; (iii) 25 per cent. when the accused are convicted by the lower court.
35.	Forcing of causing to leave house, village, residence desert place of residence [Section 3(1)(z) of the Act]	Restoration of the site or right to stay in house, village or other place of residence by the concerned State Government or Union territory Administration and relief of one lakh rupees to the victim and reconstruction of the house at Government cost, if destroyed. Payment to be made as follows: (i) 25 per cent. at First Information Report (FIR) stage; (ii) 50 per cent. when the charge sheet is sent to the court; (iii) 25 per cent. when the accused are convicted by the lower court.

36.	Obstructing or preventing a member of a Scheduled Caste or a Scheduled Tribe in any manner with regard to— (A) using common property resources of an area, or burial or cremation ground equally with others or using any river, stream, spring, well, tank, cistern, water-tap or other watering place, or any bathing ghat, any public conveyance, any road, or passage [Section 3(1)(za)(A) of the Act] (B) mounting or riding bicycles or motor cycles or wearing footwear or new clothes in public places or taking out wedding procession, or mounting a horse or any other vehicle during wedding procession [Section 3(1)(za)(B) of the Act] (C) entering any place of worship which is open to the public or other persons professing the same religion or taking part in, or taking out, any religious, social or cultural processions including jatras [Section 3(1)(za)(C) of the Act] (D) entering any educational institution, hospital, dispensary, primary health centre, shop or place of public entertainment or any other public place; or using any utensils or articles meant for public use in any place open to the public[Section 3(1)(za)(D) of the Act] (E) practicing any profession or the carrying on of any occupation, trade or business or employment in any job which other members of the public, or any section thereof, have a right to use or have access to [Section 3(1)(za)(E) of the Act]	(A): Restoration of the right using common property resources of an area, or burial or cremation ground equally with others or using any river, stream, spring, well, tank, cistern, water-tap or other watering place, or any bathing ghat, any public conveyance, any road, or passage equally with others, by the concerned State Government or Union Territory Administration and relief of one lakh rupees to the victim. Payment to be made as follows: (i) 25 per cent. at First Information Report (FIR) stage; (ii) 50 per cent. when the charge sheet is sent to the court; (iii) 25 per cent. when the accused are convicted by the lower court. (B): Restoration of the right of mounting or riding bicycles or motor cycles or wearing footwear or new clothes in public places or taking out wedding procession, or mounting a horse or any other vehicle during wedding processions, equally with others by the concerned State Government or Union territory Administration and relief of one lakh rupees to the victim. Payment to be made as follows: (i) Payment of 25 per cent. at First Information Report (FIR) stage; (ii) 50 per cent. when the charge sheet is sent to the court; (iv) 25 per cent. when the accused are convicted by the lower court; (C): Restoration of the right of entering any place of worship which is open to the public or other persons professing the same religion or taking part in, or taking out any religious procession or jatras, as is open to the public or other persons professing the same religion, social or cultural processions including jatras, equally with other persons, by the concerned State Government or Union territory Administration and relief of one lakh rupees to the victim. Payment to be made as follows: (i) 25 per cent. at First Information Report (FIR) stage; (ii) 50 per cent. when the charge sheet is sent to the court (iii) 25 per cent. when the accused are convicted by the lower court; (D): Restoration of the right of entering any educational institution, hospital, dispensary, primary health centre, shop or place of public entertainment or any other public place; or using any utensils or articles meant for public use in any place open to the public, equally with other persons by the concerned State

		Government or Union territory Administration and relief of one lakh rupees to the victim. Payment to be made as follows: (i) 25 per cent. at First Information Report (FIR) stage; (ii) 50 per cent. when the charge sheet is sent to the court; (iii) 25 per cent. when the accused are convicted by the lower court. (E): Restoration of the right of practicing any profession or the carrying on of any occupation, trade or business or employment in any job which other members of the public, or any section thereof, have a right to use or have access to, by the concerned State Government/Union territory Administration and relief of one lakh rupees to the victim. Payment to be made as follows: (i) 25 per cent. at First Information Report (FIR) stage; (ii) 50 per cent. when the charge sheet is sent to the court; (iii) 25 per cent. when the accused are convicted by the lower court.
37.	Causing physical harm or mental agony on the allegation of being a witch or practicing witchcraft or being a witch [Section 3(1)(zb) of the Act]	One lakh rupees to the victim and also commensurate with the indignity, insult, injury and defamation suffered by the victim. Payment to be made as follows: (i) 25 per cent. at First Information Report (FIR) stage; (ii) 50 per cent. when the charge sheet is sent to the court; (iii) 25 per cent. when the accused are convicted by the lower court.
38.	Imposing or threatening a social or economic boycott. [Section 3(1)(zc) of the Act]	Restoration of provision of all economic and social services equally with other persons, by the concerned State Government or Union territory Administration and relief of one lakh rupees to the victim. To be paid in full when charge sheet is sent to the lower court.
39.	Giving or fabricating false evidence [Section 3(2)(i) and (ii) of the Act]	Four lakh fifteen thousand rupees to the victim. Payment to be made as follows: (i) 25 per cent. at First Information Report (FIR) stage; (ii) 50 per cent. when the charge sheet is sent to the court; (iii) 25 per cent. when the accused are convicted by the lower court.
40.	Committing offences under the Indian Penal Code (45 of 1860) punishable with imprisonment for a term of ten years or more [Section 3(2) of the Act]	Four lakh rupees to the victim and or his dependents. The amount would vary, if specifically otherwise provided in this Schedule. Payment to be made as follows: (i) 25 per cent. at First Information Report (FIR) stage; (ii) 50 per cent. when the charge sheet is sent to the court; (iii) 25 per cent. when the accused are convicted by the lower court.

41.	Committing offences under the Indian Penal Code (45 of 1860) specified in the Schedule to the Act punishable with such punishment as specified under the Indian Penal Code for such offences[Section 3(2) (va) read with the Schedule to the Act]	Two lakh rupees to the victim and or his dependents. The amount would vary if specifically otherwise provided in this Schedule. Payment to be made as follows: (i) 25 per cent. at First Information Report (FIR) stage; (ii) 50 per cent. when the charge sheet is sent to the court; (iii) 25 per cent. when the accused are convicted by the lower court;
42.	Victimisation at the hands of a public servant[Section 3(2) (vii) of the Act]	Two lakh rupees to the victim and or his dependents. Payment to be made as follows: (i) 25 per cent. at First Information Report (FIR) stage; (ii) 50 per cent. when the charge sheet is sent to the court; (iii) 25 per cent. when the accused are convicted by the lower court.
43.	Disability. Guidelines for evaluation of various disabilities and procedure for certification as contained in the Ministry of Social Justice and Empowerment Notification No. 16-18/97-NI, dated the 1st June, 2001. A copy of the notification is at Annexure-II. (a) 100 per cent. incapacitation (b) where incapacitation is less than 100 per cent. but more than 50 per cent. (c) where incapacitation is less than 50 per cent.	Eight lakh and twenty-five thousand rupees to the victim. Payment to be made as follows: (i) 50 per cent. after medical examination and confirmatory medical report; (ii) 50 per cent. when the charge sheet is sent to the court; Four lakh and fifty thousand rupees to the victim. Payment to be made as follows: (i) 50 per cent. after medical examination and confirmatory medical report; (ii) 50 per cent. when the charge sheet is sent to the court; Two lakh and fifty thousand rupees to the victim. Payment to be made as follows: (i) 50 per cent. after medical examination and confirmatory medical report; (ii) 50 per cent. when the charge sheet is sent to the court.
44.	Rape or Gang rape. (i) Rape[Section 375 of the Indian Penal Code(45 of 1860)] (ii) Gang rape [Section 376D of the Indian Penal Code(45 of 1860)]	Five lakh rupees to the victim. Payment to be made as follows: (i) 50 per cent. after medical examination and confirmatory medical report; (ii) 25 per cent. when the charge sheet is sent to the court; (iii) 25 per cent. on conclusion of trial by the lower court. Eight lakh and twenty-five thousand rupees to the victim. Payment to be made as follows: (i) 50 per cent. after medical examination and confirmatory medical report; (ii) 25 per cent. when the charge sheet is sent to the court; (iii) 25 per cent. on conclusion of trial by the lower court.
45.	Murder or Death.	Eight lakh and twenty-five thousand rupees to the victim. Payment to be made as follows: (i) 50 per cent. after post mortem report; (ii) 50 per cent. when the charge sheet is sent to the court.

46.	Additional relief to victims of murder, death, massacre, rape, gang rape, permanent incapacitation and dacoity.	In addition to relief amounts paid under above items, relief may be arranged within three months of date of atrocity as follows:- (i) Basic Pension to the widow or other dependents of deceased persons belonging to a Scheduled Caste or a Scheduled Tribe amounting to five thousand rupees per month, as applicable to a Government servant of the concerned State Government or Union territory Administration, with admissible dearness allowance and employment to one member of the family of the deceased, and provision of agricultural land, an house, if necessary by outright purchase; (ii) Full cost of the education up to graduation level and maintenance of the children of the victims. Children may be admitted to Ashram schools or residential schools, fully funded by the Government; (iii) Provision of utensils, rice, wheat, dals, pulses, etc., for a period of three months.
47.	Complete destruction or burnt houses.	Brick or stone masonary house to be constructed or provided at Government cost where it has been burnt or destroyed.”

S.S. RAWAT
SECRETARY TO GOVERNMENT